

Mail Stop Interference
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Paper 88
Filed 24 March 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

RAYMOND J. ROUSSY
Junior Party
(Application No. 11/067,225)

v.

HOWARD E. JOHNSON, Jr.
Senior Party
(Patent Nos. 6,955,219, 7,093,657 and 7,270,182).

Patent Interference Nos. 105,707 and 105,708 (SCM)
(Technology Center 3600)

Before SALLY GARDNER LANE, *Lead Administrative Patent Judge*, and
SALLY C. MEDLEY and MICHAEL P. TIERNEY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

Judgment - Request for Adverse - Bd.R. 127(b)

On 11 March 2010, Roussy filed a request for abandonment of its
application 11/067,225 contingent on the Board granting the Joint Motion to

Correct Inventorship. (Paper 74). The Joint Motion to Correct Inventorship (Paper 73) has been granted. (Paper 87).

Roussy's abandonment of its involved application 11/067,225 is construed as a request for entry of adverse judgment. Bd. R. 127(b)(1). The request is GRANTED.

Accordingly, it is

ORDERED that judgment be entered against Roussy for Count 1 of Interference 105,707 (Paper 1 at 4);

FURTHER ORDERED that judgment be entered against Roussy for Count 2 of Interference 105,708 (Paper 1 at 4);

FURTHER ORDERED that claims 1-4, 7-9, 11-15, 18, and 20-23 of Roussy's involved Application 11/067,225 be FINALLY REFUSED, 35 U.S.C. 135 (a);

FURTHER ORDERED that the parties shall note the requirements of 35 U.S.C. § 135(c) and Bd. R. 205; and

FURTHER ORDERED that a copy of this judgment be entered in the administrative records of the involved Roussy Application 11/067,225 and Johnson Patents 6,955,219, 7,093,657 and 7,270,182.

cc (via electronic filing):

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